REMARKS

By this Amendment, claims 8 and 14 have been amended and claims 1-7 and 9-10 have been cancelled. Accordingly, claims 8 and 11-20 are pending in the present application.

Claims 6, 7 and 14 stand rejected under 35 U.S.C. §112, second paragraph. In response, claims 6 and 7 have been cancelled, and claim 14 has been amended to be in full compliance with all §112 requirements. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-9, 11 and 13-18 stand rejected under 35 U.S.C. §102(a) as being anticipated by JP2003-095736. Claims 10, 12, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP2003-095736. These rejections are deemed moot with respect to claims 1-7 and 9-10 due to their cancellation. Applicants respectfully traverse this rejection with respect to claims 8 and 11-20.

JP2003-095736 was published on March 4, 2003. The present application claims priority to Japanese application No. JP2002-253595, filed August 30, 2002. In order to perfect Applicants' priority claim and remove JP2003-095736 as a prior art reference, Applicants submit herewith a certified English translation of JP2002-253595. In view of this submission, JP2003-095736 is not a prior art reference and can not be used in rejecting the present application. Accordingly, withdrawal of these rejections is respectfully requested.

Claims 1-9, 11 and 13-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by EP1160221. Claims 10, 12, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over EP1160221. These rejections are deemed moot with respect to claims 1-7 and 9-10 due to their cancellation. Applicants respectfully traverse this rejection with respect to claims 8 and 11-20.

Applicants respectfully submit that the rejection of independent claim 8 based on the disclosure of EP1160221 is improper. Independent claim 8 requires, *inter alia*, that the dielectric ceramic include "a sub-component which contains 0.01 to 2 parts by weight of Fe as an element on the basis of Fe_2O_3, with respect to 100 parts by weight of the major component."

While EP1160221 generally discloses that Fe_2O_3 may be added in an amount of not more than 5 parts by weight to 100 parts by weight of the main component, there is no specific disclosed embodiment in EP1160221 which shows addition of Fe_2O_3 in an amount of 0.01 to 2 parts by weight as required by independent claim 8.

It has been held that assertion that use of a generic term makes a prior art reference anticipatory is meritless since under such a theory, a claim to a genus would inherently disclose all species. Corning Glass Works v. Sumitomo Electric U.S.A., Inc., 868 F2d 1251, 1262 (Fed. Cir. 1989).

Thus, since none of the disclosed species in EP1160221 teach the addition of Fe_2O_3 in the specific range of 0.01 to 2 parts by weight, the generic disclosure of Fe_2O_3 in an amount of not more than 5 parts by weight in EP1160221 does not teach or suggest the invention defined in independent claim 8. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 11-20 depend either directly or indirectly from independent claim 8 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 11-20 are likewise patentable.

In view of the foregoing, favorable consideration of the amendments to claims 8 and 14, and allowance of the present application with claims 8 and 11-20 is respectfully and earnestly solicited.

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Respectfully submitted

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